

P-10285-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rick A. Briggs, et. al. Group Art Unit: 3712
Ser. No. : 09/545,658
Filed : 4/10/2000
For : MULTI-MEDIA INTERACTIVE PLAY SYSTEM
Examiner : Carmen D. White

DECLARATION OF JONATHAN A. BARNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Jonathan A. Barney, hereby declare as follows:

1. I am the attorney of record in the above-captioned pending application.
2. On Friday, February 27, 2004 I prepared and filed the enclosed 13-page Amendment and Response ("Amendment") to the outstanding office action dated August 27, 2003.
3. The Amendment was placed in a first-class stamped envelope along with a transmittal letter and return post card. I personally deposited the Amendment with the United States Postal Office on Friday, February 27, 2004.
4. On about March 8, 2004 my office received the enclosed return post card marked with an OIPE JC130 date stamp indicating that the Amendment had been received by the Office on March 3, 2004.

Appl. No. : 09/545,658
Filed : April 10, 2000

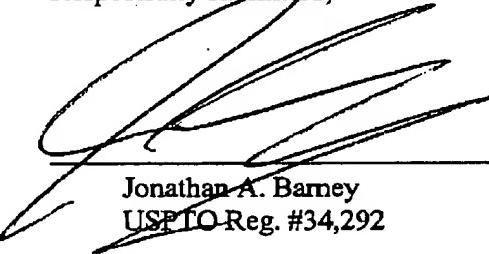
5. On March 15, 2004 I received a call from Examiner Carmen White. Examiner White informed me that the Amendment had not yet been received by her.

6. Upon reviewing the file it was discovered that the certification of mailing contained in the transmittal letter accompanying the Amendment was incorrectly dated "4/27/04." The true and correct mailing date was "2/27/04."

7. I hereby certify that the correspondence containing the Amendment and all marked attachments were deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 27, 2004.

8. I declare that the statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Respectfully submitted,


Jonathan A. Barney
USPTO Reg. #34,292

Dated: March 15, 2004